

 Department of Human Resources 311 West Saratoga Street Baltimore MD 21201	FIA INFORMATION MEMO
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**TO: DIRECTORS, LOCAL DEPARTMENTS OF SOCIAL SERVICES
DEPUTY/ASSISTANT DIRECTORS FOR FAMILY INVESTMENT
FAMILY INVESTMENT SUPERVISORS AND ELIGIBILITY STAFF
OFFICE OF ADMINISTRATIVE HEARINGS**

FROM: ROSEMARY MALONE, EXECUTIVE DIRECTOR 
FAMILY INVESTMENT ADMINISTRATION

**RE: REQUIREMENTS FOR TIMELY NOTIFICATION OF ADMINISTRATIVE
HEARING DECISIONS**

PROGRAM AFFECTED: FOOD SUPPLEMENT PROGRAM

Recently the Department of Agriculture, Food and Nutrition Service (FNS) conducted a Program Access Review (PAR) in one of the Maryland Department of Human Resources, Family Investment Administration's local departments. As a result of the findings, FNS instructed FIA to ensure staff are aware of the required notification timeframes for administrative hearings and reviews related to the Food Supplement Program benefits and activities.

This information memo provides clarification to ensure staff adhere to the existing federal guidelines and make sure they are aware of the steps to use to notify appellants and local agencies of fair hearing decisions. The FSP manual section 460 outlines the policy and provides guidance consistent with the Supplemental Nutrition Assistance Program (SNAP) Code of Federal Regulations section (CFR) 7 273.15(c) which pertains to timeliness of hearings, decisions and timely action on the decisions. Staff must use the key timeliness standards as outlined below:

- Local Level Hearings: the State agency shall assure that the hearing is conducted, and that a decision is reached and reflected in the benefit allotment **within 45 days** of receipt of a request for a fair hearing.
- State Level Hearings: the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision **within 60 days** of receipt of a request for a fair hearing.

- Decisions which result in an increase in household benefits shall be reflected in the benefit allotment within 10 days of the receipt of the hearing decision.
- Decisions which result in a decrease in household benefits shall be reflected in the next scheduled issuance following receipt of the hearing decision.
- Household Requests for Postponement: The household is entitled and may request to receive a postponement of the scheduled hearing. The postponement must not exceed 30 days and the time limit for action on the decision may be extended for as many days as the hearing is postponed.

Example: A customer has requested a postponement of eight days for their State level hearing and the postponement was granted. The deadline for action if the agency must issue additional benefits would therefore be postponed eight days.

Reminder

It is the responsibility of the local department to make sure that requests for hearings and the actions on fair hearings decisions are processed in a timely manner.

Please contact Rick McClendon on 410-767-7307 or rick.mcclendon@maryland.gov if you have questions about FSP policy.